

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
SAN ANGELO DIVISION

CLERK U.S. DISTRICT COURT
NORTHERN DIST. OF TX
LUBBOCK DIVISION

2021 JUL 14 PM 2: 57

UNITED STATES OF AMERICA

v.

CARLOS ALBERTO AYALA

No. 6:21-cr-00047

DEPUTY CLERK 

INDICTMENT

The Grand Jury Charges:

Count One

Production of Child Pornography
(Violation of 18 U.S.C. § 2251(a))

From in or about October 2020, to on or about February 26, 2021, in the San Angelo Division of the Northern District of Texas, and elsewhere, **Carlos Alberto Ayala**, defendant, did employ, use, persuade, induce, entice, and coerce, and attempt to do so, "Jane Doe," a person under the age of eighteen (18) years, to engage in sexually explicit conduct, that is: lascivious exhibition of the genitals and pubic area of said minor, graphic and lascivious masturbation, and graphic and lascivious oral-genital sexual intercourse, for the purpose of producing a visual depiction of such conduct, and which visual depiction was produced using materials that had been mailed, shipped, and transported in interstate and foreign commerce.

In violation of Title 18, United States Code, Section 2251(a).

Count Two

Enticement and Attempted Enticement of a Minor
(Violation of 18 U.S.C. § 2422(b))

From in or about October 2020, to on or about February 26, 2021, in the San Angelo Division of the Northern District of Texas, and elsewhere, **Carlos Alberto Ayala**, defendant, did knowingly use a facility and means of interstate and foreign commerce, to persuade, induce, entice, and coerce, and attempt to do so, an individual who had not attained the age of eighteen (18) years, to engage in sexual activity for which **Ayala** could be charged with a criminal offense, that is, a violation of Texas Penal Code, Section 21.11 (Indecency with a Child) which makes it a crime to intentionally or knowingly engage in sexual contact with a child younger than 17; or with the intent to arouse or gratify the sexual desire of any person, expose the person's anus or any part of the person's genitals, knowing that a child younger than 17 is present; or cause a child younger than 17 to expose the child's anus or any part of the child's genitals.

In violation of Title 18, United States Code, Section 2422(b).

Forfeiture Notice
(18 U.S.C. § 2253)

Upon conviction of an offense alleged in Count One or Two, and pursuant to 18 U.S.C. §§ 2253 and 2428(b), defendant **Carlos Alberto Ayala**, shall forfeit to the United States of America: (a) any visual depiction described in Section 2251, 2252A, 2252, 2252A, 2252B, or 2260 of Chapter 110, and any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of Chapter 110; (b) any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from any offense alleged in Count One and Two; (c) any property, real or personal, used or intended to be used to commit or to promote the commission of any offense alleged in Count One or Two, and any property traceable to such property; and (d) any property, real or personal, used or intended to be used to commit or to facilitate the commission of any violation of Chapter 117; and (e) any property, real or personal, that constitutes or is derived from proceeds traceable to any violation of Chapter 117. The above-referenced property subject to forfeiture includes, but is not limited to, a Black Cricket cell phone, IMEI 866530040979444.

If any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;

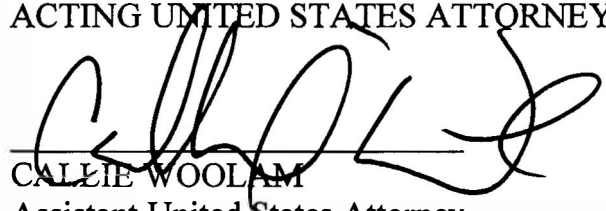
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Sections 2253(b) and 2428(a), and by Title 28, United States Code, Section 2461(c).

A TRUE BILL


FOREPERSON

PRERAK SHAH
ACTING UNITED STATES ATTORNEY


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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
SAN ANGELO DIVISION

THE UNITED STATES OF AMERICA

v.

CARLOS ALBERTO AYALA

INDICTMENT

COUNT 1: PRODUCTION OF CHILD PORNOGRAPHY
Title 18, United States Code, Section 2251(a).

COUNT 2: ENTICEMENT AND ATTEMPTED ENTICEMENT OF A
MINOR
Title 18, United States Code, Section 2422(b).

FORFEITURE NOTICE

(2 COUNTS + FORFEITURE)

A true bill rendered,

Lubbock



Foreperson

Filed in open court this 14th day of July, A.D. 2021

Clerk

ARREST WARRANT TO ISSUE


UNITED STATES MAGISTRATE JUDGE